

BENJAMIN D. HARGROVE
Assistant U.S. Attorney
U.S. Attorney's Office
2601 Second Ave. North, Suite 3200
Billings, MT 59101
Phone: (406) 657-6101
FAX: (406) 657-6989
E-mail: Benjamin.Hargrove@usdoj.gov

ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. ZACHARY LOUIS SIMPSON, Defendant.	CR 25-09-BLG-SPW OFFER OF PROOF
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Defendant, Zachary Simpson, filed a motion to change plea with the benefit of a plea agreement. Doc. 8. Pursuant to the agreement, Simpson will plead guilty to count 2 of the indictment, which charges mail theft by employee, in violation of 18 U.S.C. § 1709.

The United States presented all formal plea offers to the defendant in

writing. In the government's view, the plea agreement entered into by the parties represents the most favorable resolution for the defendant. *See Missouri v. Frye*, 566 U.S. 134, 145-46 (2012).

ELEMENTS

In order to prove its case against the defendant at trial, the United States would have to prove the following elements beyond a reasonable doubt:

First, while working as a Postal Service employee, the defendant was entrusted with or came into possession of packages;

Second, the packages were intended to be conveyed by mail; and,

Third, the defendant stole or embezzled one or more of the packages.

PROOF

1. Between March 27, 2023 and April 3, 2024, Zachary Simpson was employed by the United States Postal Service (USPS). In his position with USPS, Simpson sorted packages at a mail facility in Billings, Montana. Simpson had access to and was entrusted with mail during his shifts at the sorting facility. During his employment with USPS, Simpson stole packages from the sorting facility and brought them home with him.

2. On March 12, 2024, USPS Office of the Inspector General was contacted regarding Simpson. A sports memorabilia business in Billings notified law enforcement that Simpson came into the store to sell \$850 worth of sports cards. A

short time later, the company realized that it had recently attempted to ship those same cards to a different customer through the mail. The USPS determined that Simpson was postal employee and the packages containing these cards had transited the postal sorting facility in Billings on a date that Simpson was working.

3. On March 21, 2024, law enforcement conducted a trash pull at Simpson's residence and found dozens of empty packages in his trash that were addressed to other people at different locations.

4. On April 3, 2024, law enforcement executed a search warrant at Simpson's residence and seized over 100 additional empty packages that were not addressed to Simpson. Agents also recovered more than 10,000 sports trading cards and other items of memorabilia. USPS was able to contact a number of the victims whose packages were found in Simpson's possession. Many reported that their packages contained sports trading cards that never reached their intended destination.

DATED this 7th day of February 2025.

JESSE A. LASLOVICH
United States Attorney

/s/ Benjamin D. Hargrove
BENJAMIN D. HARGROVE
Assistant U.S. Attorney